

M. JANE BRADY
ATTORNEY GENERAL



**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

NEW CASTLE COUNTY
Carvel State Building
820 N. French Street
Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630
TTY: (302) 577-5783

KENT COUNTY
102 West Water Street
Dover, DE 19901
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652
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SUSSEX COUNTY
114 E. Market Street
Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369
TTY: (302) 856-4698

PLEASE REPLY TO :

November 18, 2005

[New Castle County-Civil Division]

Sherman A. Carter
2900 Jefferson Street
Wilmington, DE 19802

Re: Carter v. Taylor, et al.;
C.A. No. 99-757-JJF

Dear Mr. Carter:

In compliance with the Court's Order dated November 17, 2005, please find enclosed a copy of Bureau of Prisons Procedure 4.4 (entitled "Inmate Grievance Procedure"). Please be advised that this document is privileged pursuant to state law. Specifically 11 *Del. C.* § 4322 (d) provides as follows:

The Department of Correction Policies and Procedures, including any Policy, Procedure, Post Order, Facility Operational Procedure or Administrative Regulation adopted by a Bureau, facility or department of the Department of Correction shall be confidential, and not subject to disclosure except upon the written authority of the Commissioner.

Please be advised that the Defendants are producing this document pursuant to Court order and have not waived of this statutory privilege. Accordingly, you should consider the privilege set forth in the above-quoted statute as applicable to the attached document.

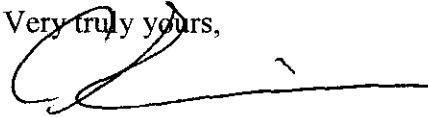
Sherman A. Carter

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If you have a question or concern about the applicability of the above-quoted statutory privilege to any potential use of the policy, please feel free to contact us at (302) 577-8400.

Very truly yours,

A handwritten signature in black ink, appearing to read 'A. Goldstein', with a long horizontal stroke extending to the right.

Aaron R. Goldstein

Deputy Attorney General

Cc: Clerk of the Court (via CM/ECF)
Stuart B. Drowos